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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

LEVI JONES and CHRISTINE
STURGES, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

CONAGRA FOODS, INC.,

Defendant.

Case No. CV 12-01633 CRB

**PLAINTIFFS' NOTICE OF APPEAL
WITH NINTH CIRCUIT RULE 3-2
REPRESENTATION STATEMENT**

1
2 Plaintiffs, Christine Sturges and Levi Jones, individually and on behalf of all others
3 similarly situated, hereby appeal to the United States Court of Appeals for the Ninth Circuit from
4 the June 13, 2014 Order of the District Court Denying Plaintiffs' Motions for Class Certification
5 (Dkt. #229) and the District Court's July 8, 2014 Order of Dismissal (Dkt. #232), dismissing the
6 action with prejudice. The class certification order is appealable because the District Court
7 subsequently dismissed the entire action with prejudice, pursuant to FED. R. CIV. P. 41(a)(2), in
8 accordance with the parties' stipulation. The dismissal order is a final appealable order. *See*
9 *Berger v. Home Depot USA, Inc.*, 741 F.3d 1061 (9th Cir. 2014).

10 Dated: July 14, 2014.

11 Respectfully submitted,

12 /s/ Pierce Gore

13 Ben F. Pierce Gore (SBN 128515)

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RULE 3-2 REPRESENTATION STATEMENT

1. Plaintiffs-Appellants, Levi Jones and Christine Sturges, are represented by:

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2. Defendant-Appellee, ConAgra Foods, Inc., is represented by:

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16 Dated: July 14, 2014.
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CERTIFICATE OF SERVICE BY CM/ECF

I hereby certify that on July 14, 2014, I served PLAINTIFF'S NOTICE OF APPEAL AND NINTH CIRCUIT RULE 3-2 REPRESENTATION STATEMENT by electronically filing the foregoing document listed above by using the Case Management/Electronic Case filing system. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the court's CM/ECF system.

/s/ Pierce Gore
Ben F. Pierce Gore